

REMARKS:

Minor changes are made to this specification. Claims 16 and 17 are amended. Claims 1, 3-6, and 15-17 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

The present invention relates to a wiring board used for a high-frequency package for holding high-frequency devices such as semiconductor devices and passive devices that operate in high-frequency regions, used for a circuit substrate mounting such a package, or used for a circuit substrate directly mounting various devices on the surface thereof. More specifically, the invention relates to a wiring board used being connected to a waveguide to efficiently transmit signals between a signal transmission line and the waveguide. (Applicant's specification, at p. 1, lines 6-15).

OBJECTIONS TO THE DISCLOSURE:

At page 4, lines 17-18, the Office contends that it is unclear whether reference to "German Patent No. 4,208,058" is correct. In response, the Applicant changed "German Patent No. 4,208,058" to --DE 4,208,058--. Withdrawal of the objection is respectfully requested.

The Office maintains its objection that all labeled elements in the drawing figures should be commensurately described in the specification, especially those reference labels unique to a particular drawing figure. In response, the Applicant respectfully submits that the specification has been reviewed and the Applicant believes that the labeled elements are commensurately described in the specification. Withdrawal of the objection is respectfully requested.

The Office also maintains its objection that like reference labels in different drawing figures refer to the same feature, and a statement to that effect should be provided in the detail description of the invention. In response, the Applicant

respectfully submits that the Office's suggested statement was inserted into the specification in response to the previous Office action. This statement occurs at p. 12, lines 32-34 of the substitute specification. Withdrawal of the objection is respectfully requested.

At page 11, line 26, the Office notes that "USP" should be rewritten as --U.S. Patent No.--. In response, the Applicant rewrote "USP" as --U.S. Patent No.--. Withdrawal of the objection is respectfully requested.

The Office maintains its objection, that in claims 16 and 17, "formed" should be rewritten as --disposed-- at each occurrence. Applicant respectfully disagrees with the Office's objection, however, in order to expedite the prosecution of the instant application, the Applicant changed the first occurrence of "formed" in both claims 16 and 17 to --disposed--. The Applicant respectfully submits that changing the second occurrence of "formed" in both claims 16 and 17 to --disposed-- would create a nonsensical claim. The phrase "inner surfaces of the opening of said connection member are formed of an electric conductor" as written indicates that the surfaces are made of an electric conductor. The Applicant believes that changing "formed" to --disposed-- in this circumstance would change the meaning of the phrase to "surfaces arranged of an electric conductor". Withdrawal of this objection is respectfully requested.

Applicant notes that no further objection to claims 16 and 17 are outstanding. Allowance of claims 16 and 17 is therefore requested.

OBJECTIONS TO THE DRAWINGS:

The Office maintains its objection to Figures 1a, 1b, 2a-2d, 4c-4e, 5, 6a, 6c, and 8, noting that these drawing figures need cross-hatching which is consistent for dielectric material cross-section views. The Office further states that these figures lack the proper "alternate thin and thick diagonal lines denoting dielectric

material". Applicant respectfully disagrees that these figures are required to have "alternate thin and thick diagonal lines denoting dielectric material". However, in order to avoid delays in the prosecution of the instant application, Applicant submits herewith proposed revised Figures 1a, 1b, 2a, 2c-2d, 4c-4e, 5, 6a, 6c, and 8, that have alternate thin and thick diagonal lines denoting dielectric material. The thick lines are denoted in red ink. No revised figure is submitted for Figure 2b, since there is no dielectric material being illustrated in this figure. Withdrawal of the objection is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

Claims 1, 3-6, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Koriyama et al. (U.S. Patent No. 6,239,669). Applicant respectfully traverses this rejection.

Applicant respectfully submits that under 35 U.S.C. §103(c), Koriyama does not preclude the patentability of the present invention because Koriyama is owned by the assignee of the present invention, Kyocera Corporation. 35 U.S.C. § 103(c) states that:

"Subject matter developed by another person, which qualifies as prior art only under one more subsections of (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time of the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

The Koriyama patent issued May 29, 2001 upon an Application filed April 27, 1998. The Koriyama patent is and was assigned to Kyocera Corp. The assignment

Appl. No. 09/709,098
Amdt. Dated December 23, 2003
Reply to Final Office Action of September 24, 2003

Attorney Docket No. 81707.0164
Customer No. 26021

is recorded with the U.S. Patent and Trademark Office at reel/frame 9142/0890. The instant Application was filed on November 10, 2002. The instant Application is also assigned to Kyocera Corp. The assignment is recorded with the U.S. Patent and Trademark Office at reel/frame 011548/0876.

Based on the foregoing, Applicants believe that Koriyama can only be prior art under 102(e), 102(f) or 102(g). Pursuant to MPEP 706.02(l)(2), Applicant believes that Koriyama does not preclude the patentability of the present invention. Applicant files concurrently herewith a statement concerning common ownership. Withdrawal of this rejection is thus respectfully requested.

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(a). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. § 1.116(b). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the Final Office Action.

Lastly, admission is requested under 37 C.F.R. § 1.116(a) as presenting rejected claims in better form for consideration on appeal.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6810 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

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Date: December 23, 2003

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